

Remarks

Claims 1, 4, 6 and 9 have been amended and claims 2, 5, 7 and 10 have been amended.

In the Specification

Please amend "Texanol" to Texanol™ at page 6, line 26 of the specification.

Response to 35 U.S.C. § 112 2nd ¶ Rejection of Claims 5 and 10

Claims 5 and 10 have been cancelled obviating the rejection.

Response to 35 U.S.C. § 102(b) Rejection of Claims 1-10

Claims 1-10 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lehman (U. S. Pat. No. 4,644,031 reissued as RE 35,200). Applicants traverse the rejection and have amended claims 1, 4, 6 and 9. Examiner concedes that Lehman does not explicitly state a range for the degree of neutralization of acid functional groups of the water soluble polymer. Examiner improperly uses the inherency argument since polyelectrolytes the degree of neutralization is critical in Applicants invention and cannot be compared to conventional behavior of an organic carboxylic acids when treated with base. Applicants state at page 5 of the specification that it is preferred that the water soluble polymer coating is over neutralized, such that an excess of neutralizing base is added to the acid containing polymer over and above the stoichiometric quantity required for complete neutralization of the acid containing polymer. Over neutralization inhibits the localized chemical reaction of the acidic functional groups of the polymer on the carbonate/bicarbonate within the area of application of the water soluble coating to the tablet, thereby inhibiting effervescence during the coating of such tablets. Applicants submit the invention as presented herein is patentable over Lehman of record.

Response to 35 U.S.C. § 103(a) Rejection of Claims 1-10

Claims 1-10 stand rejected under 35 U.S.C. 103(b) as being obvious in view of by Lehman (U. S. Pat. No. 4,644,031 reissued as RE 35,200). Applicants traverse the rejection and have amended claims 1, 4, 6 and 9. Examiner has not established obviousness while conceding that degree of neutralization is not taught by Lehman. Applicants submit the invention as presented herein is patentable over Lehman of record.

Response to 35 U.S.C. § 103(a) Rejection of Claims 1-10

Claims 1-10 stand rejected under 35 U.S.C. 103(b) as being obvious over Zagnoli (U.S. Pat. No. 3,030,273) in view of Duccini et al (EP 0812905 A2). Applicants traverse the rejection and have amended claims 1, 4, 6 and 9. Methylmethacrylate would not work in Applicants invention and is not water soluble. Examiner has not established obviousness while conceding that degree of neutralization is not taught by Zagnoli. Applicants submit the invention as presented herein is patentable over art of record.

Double Patenting Rejection of Claims 1-3

Applicants provisionally traverse the rejection and will deal with the issue at the time of allowance of the pending claims.

Applicants invite the Examiner to contact the undersigned to discuss any issues related to this application by telephone.

Respectfully submitted,



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